

# **Metropolitan Water Reclamation District of Greater Chicago**

100 East Erie Street  
Chicago, IL 60611



## **Regular Board Meeting Minutes**

**Thursday, January 6, 2011**

**10:00 AM**

**Board Room**

### **Board of Commissioners**

*Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

#### **THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:**

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

## Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

## Roll Call

**Present:** 8 - Michael A. Alvarez; Frank Avila; Patricia Horton; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

## Approval of Previous Board Meeting Minutes

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

## Recess and Reconvene as Committee of the Whole

A motion was made by Kathleen Therese Meany, seconded by Mariyana T. Spyropoulos, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

## Recess and Reconvene as Board of Commissioners

At 12:35 p.m. President O'Brien reconvened the regular board meeting to order

## Finance Committee

### Report

- 1     [10-1649](#)     Report on Cash Disbursements for the Month of November 2010, in the amount of \$55,403,810.87

**Attachments:**     [10-1649 November 2010 Disbursement Report](#)

Published and Filed

## Procurement Committee

### Report

- 2     [10-1662](#)     Report of bid opening of Tuesday, December 21, 2010

Published and Filed

- 3      [10-1663](#)      Report of bid opening of Tuesday, December 14, 2010

**Published and Filed**

- 4      [10-1681](#)      Report on rejection of bids for Contract 10-468-11, Furnish and Deliver Forty-Seven (47) Multi-Functional Photocopier Devices and a Four (4)-Year Repair Service, Supplies, and Maintenance Agreement at Various District Locations, estimated cost \$385,000.00

**Published and Filed**

- 5      [10-1688](#)      Report on rejection of proposals for 09-RFP-18, Lockport Powerhouse Inspection Services, estimated cost \$133,000.00

**Published and Filed**

**Authorization**

- 6      [10-1686](#)      Authorization to rescind purchase order and agreement with Kevin Fitzpatrick for Professional Services as Legislative Liaison for the year 2011 State of Illinois Legislative Activities, in an amount not to exceed \$106,200.00, including expenses, Account 101-15000-601170, Purchase Order 3066385

**Approved**

**Authority to Advertise**

- 7      [10-1656](#)      Authority to advertise Contract 11-617-11, Maintenance and Repair Services for Switchgear, Transformers and Motors at Various Service Areas, estimated cost \$105,000.00, Accounts 101-66000/69000-612620/612650, Requisitions 1312024, 1312928

**Approved**

- 8      [10-1657](#)      Authority to advertise Contract 11-711-11 Maintain and Repair HVAC Equipment and Appurtenances at the Egan Water Reclamation Plant, estimated cost \$88,500.00, Account 101-67000-612680, Requisition 1312428

**Approved**

- 9      [10-1658](#)      Authority to advertise Contract 11-985-11 Railroad Car Repair, Maintenance, Rebuilding and Painting at the Stickney Water Reclamation Plant, estimated cost \$170,000.00, Account 101-69000-612670, Requisition 1315194

**Approved**

- 10     [10-1670](#)      Authority to advertise Contract 06-363-3D Gloria Alitto Majewski Reservoir Repair and Rehabilitation, North Side Service Area, estimated cost \$8,700,000.00, Account 401-50000-645720, Requisition 1316561

**Approved**

- 11      [10-1682](#)      Authority to advertise Contract 11-045-11 Publish Invitations for Contracts and Publish Legal Notices for Original Entrance and Promotional Civil Service Examinations and Other Legal Notices for a One (1) Year Period, estimated cost \$48,000.00, Account 101-20000-612360

**Approved**

- 12      [10-1684](#)      Authority to advertise Contract 11-028-11 Furnish and Deliver Miscellaneous Laboratory Supplies to Various Locations for a One (1) Year Period, estimated cost \$50,000.00, Account 101-20000-623570

**Approved**

**Issue Purchase Order**

- 13      [10-1671](#)      Issue a purchase order and enter into an agreement with Black and Veatch Corporation, for professional engineering post award services for Contract 04-203-4F, Final Reservoir Preparation, and professional engineering design and post award services for Contract 04-203-AF, Surface Aeration, for the Thornton Composite Reservoir, Calumet Service Area, in an amount not to exceed \$5,970,738.18, Accounts 401-50000-601420 and 601440, Requisition 1317531

**Approved**

- 14      [10-1674](#)      Issue purchase order and enter into an agreement with Mr. James Dencek, at a monthly fee of \$10,000.00, for administrative services relating to Board of Commissioners' activities for a period of one year, from January 1, 2011 through December 31, 2011, in an amount not to exceed \$120,000.00, Account 101-11000-601170, Requisition 1316968

**Approved**

- 15      [10-1679](#)      Issue purchase order and exercise the option to renew the existing agreement for a three-year period with Sigma Business Solutions Inc. for the renewal of the software maintenance and service support for PBS Archive Software, in an amount not to exceed \$71,888.88, Account 101-27000-612820, Requisition 1316982

**Approved**

- 16      [10-1680](#)      Issue purchase orders and enter into an agreement with Siemens Industry, Inc., to Provide Parts and Services to Maintain the Siemens HVAC Equipment at the OSS Complex at the Stickney Water Reclamation Plant and the Monitoring and Research Laboratory at the Calumet Water Reclamation Plant, in an amount not to exceed \$505,000.00, Accounts 101-68000,69000-612680, Requisitions 1314507 and 1311426

**Approved**

- 17      [10-1685](#)      Issue a purchase order and enter into an agreement with Invensys Systems, Inc., to Provide Maintenance Services, Technical Support and Upgrade of Existing Invensys I/A Service Systems in the Calumet Service Area, in a total amount not to exceed \$1,094,424.00, Account 101-68000-612650, Requisition 1315647

**Approved**

**Award Contract**

- 18      [10-1661](#)      Authority to award Contract 09-871-3S, Inverted Siphon Inspection, North Service Area, Stickney Service Area & Calumet Service Area, to Jay Dee Contractors, Inc., in an amount not to exceed \$2,734,000.00, Account 401-50000-612240, Requisition 1308528

Attachments:      [APP D 09-871-3S.pdf](#)

**Approved**

- 19      [10-1666](#)      Authority to award Contract 10-624-11, Repairs to the Lockport Powerhouse Interior North Wall, to Path Construction Company, Inc., in an amount not to exceed \$528,200.00, Account 401-50000-645720, Requisition 1303032

Attachments:      [APP D.pdf](#)

**Approved**

- 20      [10-1677](#)      Authority to award Contract 11-022-11 Furnish and Deliver Diesel Grade Fuel Oil to Various Locations for a One (1) Year Period, to Avalon Petroleum Company, in a total amount not to exceed \$385,300.00, Accounts 101-16000, 66000, 67000, 68000, 69000-623820, Requisitions 1312901, 1313697, 1314080, 1314428, 1314438, 1314439, 1314463 and 1314464

**Approved**

- 21      [10-1691](#)      Authority to award Contract 11-002-12 (Re-bid), Furnish and Deliver Cylinder Gases to Various Locations, for a One (1) Year Period, to The Welding Center, Inc., in an amount not to exceed \$46,653.75, Account 101-20000-623840

**Approved**

**Increase Purchase Order/Change Order**

- 22      [10-1655](#)      Authority to decrease purchase order with Harry O. Hefter Associates, Inc. for professional engineering services for Contract 73-161-FH, Vulcan Conveyance System and Maintenance Facilities, McCook CUP Reservoir, in an amount of \$14,362.63, from an amount of \$443,352.00, to an amount not to exceed \$428,989.37, Account 401-50000-601440, Purchase Order 3037512
- Attachments:**      [C.O. 73-161-FH](#)
- Approved**
- 23      [10-1668](#)      Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant to McHugh Construction, in an amount of \$288,111.49, from an amount of \$162,260,468.83, to an amount not to exceed \$162,548,580.32, Account 401-50000-645650, Purchase Order 5001115
- Attachments:**      [CO 09-176-3P](#)
- Approved**
- 24      [10-1669](#)      Authority to increase Contract 07-163-3M (Re-Bid) R & D Building HVAC Improvements, Stickney Water Reclamation Plant, to Path-Milhouse, Joint Venture, in an amount of \$28,823.12, from an amount of \$8,272,875.78, to an amount not to exceed \$8,301,698.90, Accounts 401-50000-645680 and 645780, Purchase Order 5001056
- Attachments:**      [CO 07-163-3M](#)
- Approved**
- 25      [10-1672](#)      Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$4,177.96, from an amount of \$231,621,955.97, to an amount not to exceed \$231,626,133.93, Account 401-50000-645650, Purchase Order 5000954
- Attachments:**      [CO 07-220-3P](#)
- Approved**
- 26      [10-1673](#)      Authority to increase Contract 01-353-2M Rehabilitation of the Existing Influent Pumping Station at Kirie Water Reclamation Plant, to Rausch Construction Company, in an amount of \$13,417.65, from an amount of \$21,733,859.56, to an amount not to exceed \$21,747,277.21, Accounts 401-50000-645650 and 645750, Purchase Order 5000394
- Attachments:**      [CO 01-353-2M](#)
- Approved**

- 27      [10-1683](#)      Authority to decrease Contract 09-685-11 Furnishing and Delivering Rain Barrels to Various Locations, to UpCycle Products, Inc., in an amount of \$50,666.00 from an amount of \$235,000.00 to an amount not to exceed \$184,334.00, Account 501-50000-623990, Purchase Order 3062181
- Approved**
- 28      [10-1687](#)      Authority to decrease Contract 09-421-11 Replacement of the Main Office Building Marley Water Cooling Tower, to Anchor Mechanical, Inc. in an amount of \$1,990.00, from an amount of \$149,540.00 to an amount not to exceed \$147,550.00, Account 101-15000-612680, Purchase Order 5001060
- Attachments:**      [Increase PO BL 1-6-11.pdf](#)
- Approved**

## Engineering Committee

### Authorization

- 29      [10-1647](#)      Recommendation to grant a variance with respect to stormwater detention requirements for the Illinois Department of Transportation Maintenance Yard, Elk Grove Village, MWRD Sewerage System Permit Application No. 10-119 (*Deferred from the December 16, 2010 Board Meeting*)
- A motion was made by Patricia Horton, seconded by Frank Avila, that this Agenda Item be Deferred. The motion carried by the following roll call vote:**
- Aye:**    8 -    Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Absent:**   1 -    Barbara J. McGowan
- 30      [10-1648](#)      Clarification of policy regarding MWRD Sewerage System Permits for areas currently served by septic systems (*Deferred from the December 16, 2010 Board Meeting*)
- A motion was made by Patricia Horton, seconded by Frank Avila, that this Agenda Item be Deferred. The motion carried by the following roll call vote:**
- Aye:**    8 -    Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Absent:**   1 -    Barbara J. McGowan

## Judiciary Committee

### Authorization

- 31      [10-1653](#)      Authority to settle the Workers' Compensation Claim of David Hanek vs. MWRDGC, Claim No. 200004506, Illinois Workers' Compensation Commission, in the sum of \$35,728.70. Account 901-30000-601090  
**Approved**
- 32      [10-1654](#)      Authority to settle the Workers' Compensation Claim of Martin Fitzgerald vs. MWRDGC, File No. 200003473, Illinois Workers' Compensation Commission, in the sum of \$20,335.02. Account 901-30000-601090  
**Approved**

## **Monitoring & Research Committee**

### **Authorization**

- 33      [10-1689](#)      Authority to Subscribe to the Water Environment Research Foundation for 2011 in an Amount Not to Exceed \$87,975.00 Account 101-15000-612280 (Corporate Fund)  
**Approved**

## **Real Estate Development Committee**

### **Authorization**

- 34      [10-1659](#)      Authority to advertise for public tender of bids the sale of an approximate 11,544± square feet strip of District land located between McCormick Boulevard and Simpson Street in Evanston, Illinois, and authorizing the sale of said strip of land (divided into four (4) small lots) consistent with the abutting residential lots. The minimum established bid price of each sub-divided parcel shall be established as follows: Parcel A - \$32,463.98, Parcel B - \$14,879.83, Parcel C - \$20,252.10 and Parcel D - \$72,398.20 (*Deferred from the December 16, 2010 Board Meeting*) (*As Revised*)  
  
**Attachments:**      [01-06-11\\_Evanston Exhibit.pdf](#)  
  
**Approved**
- 35      [10-1660](#)      Authority to advertise for public tender of bids a 39-year lease of approximately 37 acres of improved District real estate located at 13589 Main Street in Lemont, Illinois; Main Channel Parcels 26.02 and 26.03. The minimum initial rental bid shall be established at \$312,000.00  
  
**Attachments:**      [01-06-11 IMTT Illinois-Map.pdf](#)  
  
**Approved**



## Stormwater Management Committee

### Report

- 36      [10-1646](#)      Request for direction concerning additional funding for Deer Creek Reservoir  
(Deferred from the December 2, 2010 and December 16, 2010 Board Meetings) (As Revised)

**Attachments:**      [Deer Creek Reservoir](#)

**A motion was made by Cynthia M. Santos, seconded by Frank Avila, that the Executive Director be given the authorization to Delete this Report. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**    1 -    Barbara J. McGowan

## Miscellaneous and New Business

### Motion

- 37      [10-1624](#)      MOTION to appoint Commissioner Mariyana T. Spyropoulos to the Public Building Commission (As Revised)

**A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**    1 -    Barbara J. McGowan

## Additional Agenda Items

- 38      [10-1693](#)      Authority to increase purchase order and amend the agreement with Smithamundsen LLC, for legal services in the matter of Gaweda, et al. v. MWRDGC, Case No. 10 CH 52264, in an amount of \$26,000.00, from an amount of \$9,000.00, to an amount not to exceed \$35,000.00, Account 101-11000-601170, Purchase Order 3066424

**Approved**

## Approval of the Consent Agenda with the exception of Items: 29, 30, 36, 37 and 39

**A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, to Approve the Consent Agenda.**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

- 39      [10-1694](#)      RESOLUTION sponsored by the Board of Commissioners recognizing Louis Kollias' thirty-three years of service to the District and congratulating him on his well-earned retirement (*As Revised*)

**A motion was made by Cynthia M. Santos, seconded by Kathleen Therese Meany, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

- 40      [11-0004](#)      MOTION to nominate Terrence J. O'Brien as President of the Board of Commissioners of the Metropolitan Water Reclamation of Greater Chicago

**A motion was made by Michael A. Alvarez, seconded by Kathleen Therese Meany, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

- 41      [11-0005](#)      MOTION to nominate Barbara J. McGowan as Vice-President of the Board of Commissioners of the Metropolitan Water Reclamation of Greater Chicago

**A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

- 42      [11-0006](#)      MOTION to nominate Cynthia M. Santos as Chairman of Finance of the Board of Commissioners of the Metropolitan Water Reclamation of Greater Chicago

**A motion was made by Kathleen Therese Meany, seconded by Mariyana T. Spyropoulos, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

43      [11-0007](#)

Motion to suspend Article III, Section 3.2 of the Rules of the Board of Commissioners of the MWRDGC and move the appointment of the Chairman and Vice-Chairman of each standing Committee to the next Regular Board Meeting

**A motion was made by Kathleen Therese Meany, seconded by Cynthia M. Santos, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

## Meeting Summary

### Speakers

*Michael Poulos, Attorney and Stacy Meyers, Open Lands addressed the Board regarding the sale of District Real Estate (Re: Real Estate Item #34)*

*George Blakemore, concern citizen, voiced concerns and addressed the Board (Re: Procurement Item #14 and Real Estate Item #34)*

*Louis Kollias, accepted a resolution recognizing his 33 years of service to the district and congratulating him on his retirement (Re: Miscellaneous and New Business Item #39)*

### Summary of Requests

*James Dencek*

*Patricia Horton requested a study session before the next board meeting (Re: Engineering Items #29 and #30)*

*Terrence J. O'Brien requested a study session to review what is in place regarding statutes and current policies (Re: Real Estate Item #34)*

*Ron Hill*

*Mariyana T. Spyropoulos requested a copy of current real estate inventory list (Re: Real Estate Item #34)*

*Terrence J. O'Brien requested the Law Department prepare a letter to inform agencies of the change (Re: Miscellaneous and New Business Item #37)*

### Study Session

*James Dencek will survey the Board for a mutually convenient date to schedule a Study Session to discuss Engineering Items #29 and #30 and Real Estate Item #34*

### Announcements

*None*

**Board Letter Submission Dates**

The next regular board meeting is scheduled for January 20, 2011 please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: January 10, 2011

Date Board letters are due to the Executive Director: 1:00 p.m., January 13, 2011

**Adjournment**

A motion was made by Debra Shore, seconded by Cynthia M. Santos, that when the Board adjourns it adjourns to meet on Thursday, January 20, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Barbara J. McGowan

**APPROVAL:**

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this January 6, 2011 are hereby approved.

**APPROVED:**

/s/ Terrence J. O'Brien

President Board of Commissioners of the  
Metropolitan Water Reclamation District of Greater Chicago

January 6, 2011